

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 15-109.1 as follows:

6 (625 ILCS 5/15-109.1) (from Ch. 95 1/2, par. 15-109.1)

7 Sec. 15-109.1. Covers or tarpaulins required for certain
8 loads.

9 (a) No person shall operate or cause to be operated, on
10 a highway, any second division vehicle loaded with dirt,
11 aggregate, garbage, refuse, or other similar material, when
12 any portion of the load is falling, sifting, blowing,
13 dropping or in any way escaping from the vehicle.

14 (b) No person shall operate or cause to be operated, on
15 a highway, any second division vehicle having a gross vehicle
16 weight rating of 8,000 pounds or more loaded with dirt,
17 aggregate, garbage, refuse, or other similar material in or
18 on any part of the vehicle other than in the cargo area. The
19 cargo area must be enclosed or secured at all times with a
20 tarpaulin or other cover sufficient to prevent any portion of
21 the materials from falling, blowing, dropping, or otherwise
22 escaping from the vehicle. In addition, no person shall
23 operate on any highway, such vehicle unless the tailgate on
24 the vehicle is in good repair and operating condition and
25 closes securely so as to prevent any load, residue, or other
26 material from escaping.

27 (c) This Section shall not apply to the operation of
28 highway maintenance vehicles engaged in removing snow and ice
29 from the roadway, nor to implements of husbandry or other
30 farm vehicles while transporting agricultural products to or
31 from the original place of production.

1 (d) For the purpose of this Section "aggregate" shall
2 include all ores, minerals, sand, gravel, shale, coal, clay,
3 limestone or any other ore or mineral which may be mined.

4 (e) Notwithstanding any other penalty, whenever a police
5 officer determines that the operator of a vehicle is in
6 violation of this Section, as evidenced by the issuance of a
7 citation for a violation of Section 15-109.1 of this Code, or
8 where a police officer determines that a dangerous condition
9 exists whereby any portion of the load may fall, sift, blow,
10 drop, or in any way escape or fall from the vehicle, the
11 police officer shall require the operator to stop the vehicle
12 in a suitable place and keep such vehicle stationary until
13 the load has either been reduced, secured, or covered with a
14 cover or tarpaulin of sufficient size to prevent any further
15 violation of this Section.

16 (f) Any violation of the provisions of this Section
17 shall be a petty offense punishable by a fine not to exceed
18 \$250.

19 (Source: P.A. 91-858, eff. 1-1-01.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.